

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
JANUARY 12, 2012**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Evangelist Hazel Scott followed by the Pledge of Allegiance to the Flag. The Minutes of the December 29, 2011 City Council Meeting and the December 29, 2011 Summary/Final Minutes of the City Council Workshop and City Manager's Briefing were approved upon motion by Alderman Johnson, seconded by Alderman Osborne and carried.

PRESENT: Mayor Edna B. Jackson, Presiding
Alderman Van R. Johnson, III, Mayor Pro-tem
Aldermen Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Aldermen Mary Ellen Sprague, John Hall, Carol Bell,
Tom Bordeaux and Estella Shabazz

City Manager Rochelle D. Small-Toney
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

PETITIONS

Adam Cerbone – Petition 13527, requesting to encroach onto City right-of way with an awning on property he owns at 302 E. Oglethorpe Avenue (on the northeast corner of Oglethorpe Avenue and Lincoln Street). The encroachment request is to install the awning over the Lincoln Street sidewalk, providing 8'-0" clearance above the sidewalk, projecting 5'-0" from the façade with an overall width of 5'-0". The design has been approved by the Historic Review Board and a signed letter from Adam Cerbone states acceptance of all responsibility and associated liability of the encroachments. The petition has been reviewed by the Water Resources and Public Works Bureau, the Sanitation Bureau, and Development Services and there are no objections to the request. All City permitting and construction guidelines must be followed, and the installation must meet all federal, state and local codes. Recommend approval of Petition 13527 in which Adam Cerbone requests permission to encroach onto Lincoln Street right-of-way for the installation of an awning. Recommend also advising the petitioner and property owner alike that such encroachment grants no ownership rights to the property and that, if ever required, the structure(s) must be removed at their expense. Upon motion by Alderman Johnson, seconded by Alderman Hall the petition was approved.

Lateresa Reynolds for DJB Real Estate LLC (Property Owner) – Petition 13581, requesting an encroachment for permanent placement of an ornamental fence onto City right-of-way. The subject property address is 602 E. 63rd Street which is located at the northeast corner of 63rd Street and Atlantic Avenue. The fence was originally installed without approval, causing traffic safety issues and the issue of a private fence located on City property. The fence has since been relocated to alleviate the traffic safety issue, although it still lies approximately 5' within the 63rd Street right-of-way. Ms. Reynolds would like approval for this encroachment request in order to leave the fence in its current location. The petition has been reviewed by Development Services and Traffic Engineering, and both recommend approval. Traffic Engineering states that the relocated fence does not restrict visibility on Atlantic Avenue entering onto 63rd Street. Ms. Reynolds has provided a signed letter from the registered agent of the LLC who owns the property, stating their acceptance of all responsibility and associated liability of the said encroachment. Recommend approval of Petition 13581 in which Lateresa Reynolds requests granting of encroachment onto City right-of-way for an existing fence. Petitioner should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the fence must be removed at petitioner's expense. Upon motion by Alderman Johnson, seconded by Alderman Hall the petition was approved.

Alderman Sprague stated this was an on-going problem in many neighborhoods; with Aldermen Thomas and Shabazz agreeing. Alderman Sprague asked that she be made aware of the issues and the City Manager would get with the Zoning Director.

ORDINANCES

Ordinance read for the first and second time in Council January 12, 2012 placed upon its passage, adopted and approved upon motion of Alderman Osborne, seconded by Alderman Johnson and carried.

Rezone 13 W. 57th Street (Z-111103-42758-2). An ordinance to rezone 13 W. 57th Street from R-4 (Four-Family Residential) to BG-1 (General Business- Transition). The rezoning will allow a building supply business which fronts Bull Street to expand onto the adjacent W. 57th Street parcel which is currently developed with two multi-family residential structures. The zoning request is supported by the Metropolitan Planning Commission and area residents and is not inconsistent with the development pattern in the immediate area. In addition to the required 25-foot side yard setback, the parcel is separated from the residential uses to the north by 57th Street. Residential uses to the west will be protected by a 25-foot setback which includes 20 feet of buffering and fencing. (The public hearing was held during the City Council meeting of December 29, 2011.)

**AN ORDINANCE
To Be Entitled**

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT R-4 ZONING CLASSIFICATION TO A BG-1 ZONING CLASSIFICATION; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: The following described property be rezoned from its present R-4 zoning classification to BG-1 zoning classification:

LEGAL DESCRIPTION

Starting at a point located at the intersection of the centerlines of Bull Street and West 57 Street, thence proceeding in a Northwesterly direction along the centerline of West 57 Street for a distance of approximately 235.7 feet to a point, said point being the point of beginning, thence proceeding along a line in a Southwesterly direction S 17-6-53 W for a distance of approximately 168.8 feet to a point, thence proceeding along a line in a Northwesterly direction N 73-4-38 W for a distance of approximately 110.7 feet to a point, thence proceeding along a line in a Northeasterly direction N 17-31-37 E for a distance of approximately 168.7 feet to a point, thence proceeding in a Southeasterly direction along the centerline of West 57 Street for a distance of approximately 109.5 feet to a point, said point being the point of beginning.

The property is further identified by the Property Identification Number as follows:
P.I.N.: Portion of 2-0093-16-013

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED THIS 12TH DAY OF JANUARY, 2012.

RESOLUTIONS

Condemnations for Tatemville Traffic Noise Wall. A resolution to authorize and direct the acquisition of right-of-way, including by condemnation as necessary, for temporary and permanent easements needed for the Tatemville Traffic Noise Wall.

**RESOLUTION OF THE MAYOR AND ALDERMEN
OF THE CITY OF SAVANNAH**

WHEREAS, pursuant to an Agreement with the Georgia Department of Transportation, the City has laid out and determined to construct the Tatemville Noise Barrier adjacent to the existing DeRenne Avenue between Montgomery Street and extending westward to Mildred Street as more fully shown on the plans on file in the City Engineer and City Manager at City Hall, Bull and bay Streets, Savannah, Georgia; and

WHEREAS, in order to maintain the projected schedule of such improvements, it is necessary that Easements for the construction of said project be acquired without delay; and

WHEREAS, the Easements herein described and as listed below, shown on record as owned by the parties names, all as described and shown in the annexes to this order hereinafter enumerated, all of said annexes being by reference made a part of this order, are essential for the construction of said project, to – with:

Easements adjacent to existing DeRenne Avenue for the construction and maintenance of the Tatemville Neighborhood Noise barrier, the owners, property descriptions and property

identification numbers (PIN's) of each tract being shown on a recorded plat of the plans on record in Plat Record Book 46-P, Pages 100A & 100B, being incorporated herein and made a part hereof.

The circumstances are such that it is necessary that the Easements described in annexes to this order be acquired under the provisions of O.C.G.A. §32-3-1 et seq; and

IT IS ORDERED that the City manager proceed to acquire the Easement interest in the lands hereinafter described in annexes to this order under the provisions of said Code section, and the City Attorney is authorized and directed to file such proceedings, including a declaration of taking, to acquire said Easements in said lands and to deposit in the Court the sum estimated as just compensation, all in accordance with the provisions of said Code Section.

ADOPTED AND APPROVED THIS 12TH DAY OF JANUARY, 2012 UPON MOTION BY ALDERMAN OSBORNE, SECONDED BY ALDERMAN SPRAGUE AND CARRIED.

Mayor Jackson and Alderman Shabazz thanked City staff and former Alderman Clifton Jones for the work on this project.

MISCELLANEOUS ITEMS

Officers of Council

Mayor Jackson explained the officers of City Council.

Alderman Sprague nominated Alderman Van Johnson for the position of Mayor Pro-Tem; seconded by Alderman Hall. Upon motion by Alderman Osborne; seconded by Alderman Thomas and carried, the nominations were closed. Mayor Jackson called for the vote and it was unanimously carried that Alderman Van Johnson was elected Mayor Pro-Tem.

Alderman Osborne nominated Alderman Tony Thomas as Chairman of City Council; and Alderman Bordeaux nominated Alderman Mary Ellen Sprague. Upon motion by Alderman Osborne; seconded by Alderman Johnson and carried the nominations were closed. Voting in favor of Alderman Thomas were Mayor Jackson, Aldermen Osborne, Hall, Bell, and Thomas. Mayor Jackson asked that the votes be recorded for the nomination of Alderman Sprague. Voting in favor of Alderman Sprague were Aldermen Bordeaux, Shabazz, Sprague and Johnson. Alderman Tony Thomas was elected Chairman of City Council.

Alderman Thomas nominated Alderman Mary Osborne as Vice-Chairman of Council; seconded by Alderman Shabazz and unanimously carried. Alderman Osborne was elected Vice-Chairman of Council.

Upon motion of Alderman Thomas, seconded by Alderman Sprague and carried, the following bids, contracts and agreements were approved:

BIDS, CONTRACTS AND AGREEMENTS

Emergency Management Network Access Software – Sole Source – Requisition No. R12LAW7349. Approval to procure Emergency Management Network Access Software from Layer 3 Communications in the amount of \$82,516.00. The software will be used in conjunction with the existing network infrastructure to allow the Emergency Command and Control Center to provide interoperability with other agencies without compromising the security and integrity of the City's data network. A condition of the federal grant was that the Emergency Command and Control Center would provide agency interoperability in the event of an emergency. The expectation is that these agencies would bring in their own devices (non-City assets). This software will recognize the device as a non-City asset and provide internet connectivity without jeopardizing the City's network. The reason for the sole source is that the vendor was awarded the contract for the original Juniper network equipment and maintenance purchase in September, 2007. Pricing is based on the same discount offered though that contract structured at 50% off list price. The bid was received December 1, 2011. Delivery: 30 Days. Terms: Net-30 days. The bidder was: S.S.(D) Layer 3 Communications \$ 82,516.00 Funds are available in the 2012 Budget, Other Federal Grants/DHS/GA Tech Port Security Grants/Office/Building Fund/Equipment/DHS-GA Tech PSGP Project 1 (Account No. 212-3118-51520-GT018). A Pre-Bid Conference was not conducted as this is a sole source purchase.

Software Upgrade for WinCan Software – Sole Source – Requisition No. LAW7328. Approval to procure a software upgrade and a rack mount computer from Environmental Products of Georgia in the amount of \$34,913.00. The software will upgrade the WinCan software which is used by Water Reclamation staff with the sewer TV inspection system. The upgrade will provide the capability to better manage field assets and identify features such as the location of sewer manholes and sewer lines, will allow better

coordination with the fats, oils and grease management program, and better overall management of the sanitary sewer system. The software requires an upgraded computer as well which is included in the upgrade cost. The reason for the sole source is that the software is only available through the authorized distributor for Georgia. The bid was received December 16, 2011. Delivery: 30 Days. Terms: Net-30 Days. The bidder was: S.S.(D) Environmental Products of Georgia \$ 34,913.00 Funds are available in the 2012 Budget, Water & Sewer Operating Fund/President Street Plant/Equipment Maintenance (Account No. 521-2552- 51250).

Fiber Optic Cabling & Installation Services – Annual Contract Renewal –Event No. 127. Renewed an annual contract for installation of fiber optic cable from Turnkey Project Management in the amount of \$107,601.00. The work will include underground fiber optic cable installation for planned projects and emergency repairs in the case of accidents, storms, hurricanes, or equipment failures and will be used by the Information Technology Department and Traffic Engineering Department. Projects planned for 2012 include the Critical Workforce Shelter, the Old Savannah Pharmacy, Fire Station 5, and other SPLOST projects. The reason for not awarding to the low bidder is that AT&T took many exceptions to the City's standard terms and conditions including warranty, liability and insurance requirements and has placed additional limits to the City's contract terms. The low bidder also failed to agree to the City specifications for emergency response which is a critical requirement for Traffic Engineering. Bids were originally received December 21, 2010. This bid has been advertised, opened and reviewed. Delivery: As Needed. Terms: Net-30 days. Funds are available in the 2012 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Critical Workforce Shelter; General Fund/Building & Electrical Maintenance/Building Repair; General Fund/Traffic Engineering/Equipment Repair Parts (Account Nos. 311-9207-52842-WT228, 101-6121-51245 and 101-2103-51335).

Insurance Broker Consultant Services – Annual Contract Renewal – Event No. 129. Renewed an annual contract to provide insurance broker consulting services from Wells Fargo in the amount of \$40,000.00. The consultant services will be used by Risk Management to assist in the management of the City's various insured and self-funded programs. Services may include review, analysis, recommendation, and placement of all insured and self-funded programs in the areas of workers compensation, safety and loss control, property, casualty and liability coverage, as well as processing policy change endorsements, policy review and audit and monitoring of appropriate claims. This is the first of four renewal options available. The method used to procure these services was the Request for Proposal (RFP) which evaluates other criteria in addition to price. The criteria evaluated as part of this RFP were experience and qualifications, comprehensiveness of services, references from previous clients, and fees. Four proposals were received. Two of the proposers, Wells Fargo and Seacrest, were determined to be in the competitive range and selected for further consideration. Although the proposed fees were exactly the same, Wells Fargo included 85 hours of claims consulting and 15 hours of loss control consulting which was requested as part of the RFP. Seacrest proposed outside consultants at an additional charge for these services. Proposals were originally received November 23, 2010. Funds are available in the 2012 Budget, Risk Management Fund/Accounts Payable (Account No. 621-0000-21125).

Renovations to Savannah Square – Bid No. 22.12-6 – Savannah/Hilton Head International Airport. The Savannah Airport Commission received approval to enter into a contract with Tommy Gibson Builders, Inc. in the amount of \$70,500.00 for the Renovations to Savannah Square. This project includes furnishing all labor and materials to replace carpet tiles, install mosaic tile walls at restroom entrances, and reupholster acoustical panels.

New Rental Car Counters – Bid No. 48.12-27. The Savannah Airport Commission received approval to enter into a contract with National Office Systems in the amount of \$580,501.00 for the New Rental Car Counters project. This project includes furnishing all labor and materials to provide and install new modular rental car counters.

Third Party Administration Worker's Compensation – Annual Contract Renewal – Event No. 128. Renewed an annual contract to procure third party administration services for worker's compensation claims and automotive liability claims from Gallagher-Bassett (formerly GAB Robins) in the estimated amount of \$241,166.00. The services are needed to control worker's compensation costs for employees who are injured on the job and automobile liability costs associated with City vehicles involved in an accident. Upon motion by Alderman Johnson, seconded by Alderman Bell and carried, this item was deferred until January 25, 2012 meeting.

Alderman Thomas announced the Public Meetings for Comcast customers and concerned citizens: February 6, 2012 at Savannah Civic Center, 6:00 – 8:00 pm; February 7, 2012 at Moses Jackson Community Center, 6:00 – 8:00 pm; February 8, 2012 at the W. W. Law Center, 6:00 – 8:00 pm; and February 9, 2012 at Armstrong Center (the old Publix building), 6:00 – 8:00 pm. Alderman Shabazz encouraged citizens to attend.

Alderman Sprague invited everyone to attend a reception to benefit hospice Thursday, January 19, 2012 at 5:30 pm; featuring Savannah City Employee and Artist Carol Lasell-Miller.

Alderman Osborne announced that all members of Council would ride on the float in the Martin Luther King Day Parade, Monday, January 16, 2012.

Alderman Johnson stated the Council had learned that day of the closing of the Food Lion grocery stores; including the newest one on Martin Luther King Blvd. Developer Robert James, Jr., stated he had spoken with City Staff and he was optimistic that new development would be forthcoming. Alderman Thomas asked about tax incentives that were given to Food Lion at the start of construction. City Manager Toney stated she would review this and give Council a report.

Acting Assistant City Manager of Management and Financial Services Bureau Marty Johnston reported the City was contacted by United States Customs and Borders protection Agency about supplies they wanted to give to a government entity. The City accepted the supplies and contacted the Salvation Army, who in turn would contact other non-profit agencies, churches, and families in need of the items.

Dan Keller and his wife distributed information opposing Georgia Power's Smart Meters and gave a 5-minute presentation.

Alderman Johnson reported he and Mayor Jackson attended the National League of Cities (NLC) conference the previous week. Mayor Jackson is a member of the Board and Alderman Johnson is Chairman of Human Development. Alderman Thomas was appointed by NLC President to serve as Vice-Chairman of Community and Economic Development with NLC; and past chairman of the Leadership Training Institute. This ensures that Savannah is receiving first-hand information when it comes to national issues.

Mayor Jackson thanked everyone for working hard and working together including the residents and Council. She also thanked the City Manager and City staff for making Council look good. She gave City Council members a t-shirt – “ it's all about us.” Meaning United Savannnians, Council, citizens, and staff. She thanked the Clerk of Council Dyanne C. Reese, and Assistant Clerk of Council Sandy L. Brown for organizing the Inauguration and that she had received many positive comments.

There being no further business, Mayor Jackson declared this meeting of Council adjourned.

A handwritten signature in cursive script, reading "Dyanne C. Reese", written in dark ink on a light-colored background.

Dyanne C. Reese
Clerk of Council